



Minnesota Pollution Control Agency

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EPA Region 5 Records Ctr.



370757

June 1, 2009

RE: Public Comment Period for Permanent List of Priorities

To Whom It May Concern:

Pursuant to the Minnesota Environment Response and Liability Act, Minn. Stat. § 115B.17 (2008), and Minn. R. ch. 7044 (2006), the Minnesota Pollution Control Agency (MPCA) is publishing for public comment the proposed update of the State Superfund Priority List of releases or threatened releases of hazardous substances, pollutants, or contaminants. Prior to updating the Superfund List, the MPCA must solicit public comment on the proposed update for thirty (30) days. The public comment period ends on June 30, 2009.

According to MPCA records, you may have an interest in one or more of the sites proposed for deletion from the Superfund List. Therefore, please find enclosed a copy of the June 1, 2009, *State Register* notice on this matter. If you have any comments, please submit them as directed in the enclosed Public Notice. Should you know of additional interested parties concerning this update, please advise them of the Public Notice and public comment period.

Sincerely,

Kathryn J. Sather
Division Director
Remediation Division

KJS:csa

Enclosure

Minnesota Pollution Control Agency
Remediation Division

Notice of Proposed Update of the State Superfund Priority List (Superfund List) (also known as the Permanent List of Priorities (PLP)) Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants.

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is publishing for public comment proposed deletions from the State Superfund List which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), Minn. Stat. §§ 115B01-115B.20.

Pursuant to Minn. Stat. § 115B.17 (2008) and Minn. R. 7044.0950 (2006), the MPCA is proposing the following changes to the Superfund List:

The MPCA is proposing to delete the following two sites from the Superfund List: Nutting Truck and Caster Site, Faribault, Rice County; and Boise Cascade Paint Waste Dump, Koochiching County.

The MPCA has determined that either all MERLA Response Actions have been completed at these sites; or that the sites do not pose a threat to public health or welfare or the environment. If necessary, appropriate institutional controls as determined by the MPCA will be in place prior to final deletion from the PLP. In both cases, all appropriate MERLA response actions have been completed and long term monitoring indicates that each site does not pose a threat to public health or welfare or the environment.

For the Nutting Site, contaminated soils from an on-site disposal pit were excavated and disposed off-site. The disposal pit was filled with clean soil and covered by a concrete parking surface. Groundwater extraction wells were installed and operated for more than 15 years to control and remove contaminated groundwater. Long term monitoring since extraction wells were shut down have shown that groundwater contamination has decreased to non-detection at compliance monitoring points. All monitoring and extraction wells have been properly abandoned at the Site, per MPCA approval. An Environmental Covenant and Easement was finalized in 2009 which requires no changes in land use unless the MPCA is notified and annual reporting to the MPCA to ensure compliance with land use restrictions.

For the Boise Cascade Site, waste material and contaminated soil was excavated and disposed off-site, with some less contaminated soil treated on-site. A soil cap was placed over the excavated and treated soil area. Long term ground and surface water monitored was conducted following excavation and treatment activities. Monitoring was conducted for more than 20 years. To meet required site closure elements, a closure site investigation was conducted in 2007 to evaluate the site conditions. Based on the results of this closure site investigation and results from the long-term monitoring activities, MPCA staff determined that no further investigations or response actions were necessary at the Site.

The MPCA is not proposing to add any sites to the Superfund List at this time.

The MPCA invite members of the public to submit written comments on the proposed deletions from the State Superfund List. All written comments with regard to these proposed changes to the Superfund List must be received no later than 4:30 p.m. on June 30, 2009.

Written comments regarding these proposed MPCA deletions from the Superfund List should be submitted to: Gary L. Krueger, Superfund Program, Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Any interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Citizens' Board make the decision on whether to adopt these changes to the Superfund List that have been proposed by the MPCA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on June 30, 2009.

The decision whether to adopt these proposed changes to the Superfund List will be made by the MPCA Citizens' Board if: (1) the MPCA Commissioner grants the petition requesting the matter to be presented to the MPCA Citizens' Board; or (2) a MPCA Citizens' Board member requests to hear the matter prior to the time the MPCA Commissioner makes a final decision on the proposed changes to the Superfund List.

All written comments received by the above deadline will be considered by the MPCA in establishing the updated State Superfund List.

Paul Eger, Commissioner
Minnesota Pollution Control Agency